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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,095	06/20/2003	Dinesh K. Jindal	LUTZ 2 00206	9166
7590	10/05/2005		EXAMINER	
Richard J. Minnich Fay, Sharpe, Fagan, Minnich & McKee, LLP Seventh Floor 1100 Superior Avenue Cleveland, OH 44114			YACOB, SISAY	
			ART UNIT	PAPER NUMBER
			2635	
DATE MAILED: 10/05/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.	JINDAL, DINESH K.	
Examiner Sisay Yacob	Art Unit 2635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 20 June 2003.  
2a) This action is FINAL.                            2b) This action is non-final.  
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-19 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) Claim(s) \_\_\_\_\_ is/are allowed.  
6) Claim(s) 1-19 is/are rejected.  
7) Claim(s) \_\_\_\_\_ is/are objected to.  
8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.  
10) The drawing(s) filed on 20 June 2003 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All    b) Some \* c) None of:  
1. Certified copies of the priority documents have been received.  
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) Notice of References Cited (PTO-892)  
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) Notice of Informal Patent Application (PTO-152)  
6) Other: \_\_\_\_\_.

**DETAILED ACTION**

1 The application of Jindal "Universal soft remote control" filed on June 20, 2003 has been examined.

Claims 1-19 are pending.

***Claim Rejections - 35 USC § 103***

2 The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3 Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent of Huang et al., (6,437,836).

4 As to claim 1, Huang et al., discloses a universal remote control for providing wireless remote control of one or more devices (Col. 1, lines 8-12), the devices being equipped for remote control by respective original remote controls having visual appearances different from one another (Col. 4, lines 7-14), the universal remote control comprising a memory that stores one or more descriptions associated with one or more original remote controls that are selectively emulated by the universal remote control (Col. 3, lines 56-59; Col. 6, lines 59-60), the descriptions including information describing the visual appearances of the original remote controls that the descriptions are associated with (Col. 4, lines 15-27), and a graphical user interface upon which is displayed a representation of one of the original remote controls selected for emulation by the universal remote control (Col. 4, lines 56-57; Col. 8, lines 45-55), except, Huang et al., expressly does not discloses the representation having a visual appearance substantially the same as the original remote control being emulated. However, Huang et al., discloses the representation having a visual appearance that the user desires or customizes (Col. 7, lines 43-67; Col. 8, lines 48-52).

It would have been obvious, to one of ordinary skill in the art, at the time of the invention, to modify the universal remote control of Huang et al., to have a the universal remote control representation having a visual appearance substantially the same as the original remote control being emulated, because Huang et al., discloses a universal

remote control that is capable of downloading a data file that is specific to particular device via the internet and employing the data to construct a user interface for a universal remote control with soft buttons on a graphical touch screen and one of ordinary skill in the art recognize having a visual representation of the universal remote control graphical user interface that has an appearance of the original remote control is desirable feature to have a user friendly universal remote control.

5 As to claim 2, the universal remote control claimed feature as set forth above in claim 1, further, since Huang et al., discloses a graphical touch screen employed for the universal remote control display unit, it is inherent that the graphical user interface is liquid crystal display (Col. 4, lines 1-6).

6 As to claim 3, the universal remote control claimed feature as set forth above in claim 1, further, Huang et al., discloses the representation includes soft buttons that correspond to actual buttons on the original remote control being emulated (Col. 4, lines 25-27), however, Huang et al., does not expressly discloses the soft buttons having substantially the same appearance and relative location on the graphical user interface as the actual buttons have on the original remote control being emulated.

It would have been obvious, to one of ordinary skill in the art, at the time of the invention, to modify the universal remote control representation that includes soft buttons which correspond to actual buttons on the original remote control being emulated of Huang et al., to have the soft buttons having substantially the same

appearance and relative location on the graphical user interface as the actual buttons have on the original remote control being emulated, because Huang et al., discloses a universal remote control that is capable of emulating the original remote control by downloading a data file that is specific to particular device via the internet and employing the data to construct a user interface for a universal remote control with soft buttons on a graphical touch screen and one of ordinary skill in the art recognize having a visual representation of the universal remote control graphical user interface that has an appearance of the original remote control is desirable feature to have a user friendly universal remote control.

7 As to claim 4, the universal remote control claimed feature as set forth above in claim 3, further, Huang et al., discloses a transmitter that emits signals in accordance with a user touching the soft buttons, the signals emitted from the transmitter mimicking those that the original remote control being emulated emits when the corresponding actual buttons are pressed thereon (Col. 4, lines 15-25; Col. 7, lines 1-29, 59-67).

8 As to claim 5, the universal remote control claimed feature as set forth above in claim 4, further, Huang et al., discloses the transmitter is an infrared transmitter that emits infrared signals or a radio frequency transmitter that emits radio frequency signals (Col. 9, lines 16-24).

9 As to claim 6, the universal remote control claimed feature as set forth above in claim 1, further, Huang et al., discloses an external interface, said external interface arranged to receive descriptions for original remote controls from a source external to the universal remote control, said received descriptions being stored in the memory (Col. 4, lines 2-27).

10 As to claim 7, the universal remote control claimed feature as set forth above in claim 6, further, Huang et al., discloses the external interface is a serial port, a universal serial bus port, or a communications port (See figure 2).

11 As to claim 8, Huang et al., discloses a method of emulating one or more original remote controls having visual appearances that are different from one another, the method comprising storing descriptions of each original remote control to be emulated (Col.4, lines 1-27), however, Huang et al., does not expressly discloses the descriptions including information describing the visual appearances of the original remote controls to which the descriptions apply, determining which one of the original remote controls to emulate, and displaying a replica of the original remote control being emulated, said replica having a visual appearance substantially the same as the original remote control being emulated.

It would have been obvious, to one of ordinary skill in the art, at the time of the invention, to modify the method of emulating a remote control of Huang et al., to have a the method of emulating one or more original remote controls having visual

appearances that are different from one another, the method comprising storing descriptions of each original remote control to be emulated that has the descriptions including information describing the visual appearances of the original remote controls to which the descriptions apply, determining which one of the original remote controls to emulate, and displaying a replica of the original remote control being emulated, the replica having a visual appearance substantially the same as the original remote control being emulated, because Huang et al., discloses a method of emulating a remote control by downloading a data file that is specific to particular device via the internet and employing the data to construct a user interface for a universal remote control with soft buttons on a graphical touch screen and one of ordinary skill in the art recognize having a visual representation of the universal remote control graphical user interface that has an appearance of the original remote control is desirable feature to have a user friendly universal remote control.

12 As to claim 9, the method claimed features as set forth above in claim 8, further, Huang et al., discloses a method of providing in the displayed replica soft buttons that correspond to actual buttons on the original remote control being emulated (Col. 4, lines 25-27), however, Huang et al., does not expressly discloses the soft buttons having substantially the same appearance and relative location on the replica as the actual buttons have on the original remote control being emulated.

It would have been obvious, to one of ordinary skill in the art, at the time of the invention, to modify the method of providing in the displayed replica soft buttons that

correspond to actual buttons on the original remote control being emulated of Huang et al., to have the soft buttons having substantially the same appearance and relative location on the graphical user interface as the actual buttons have on the original remote control being emulated, because Huang et al., discloses a method of providing a display replica by downloading a data file that is specific to particular device via the internet and employing the data to construct a user interface for a universal remote control with soft buttons on a graphical touch screen and one of ordinary skill in the art recognize having a visual representation of the universal remote control graphical user interface that has an appearance of the original remote control is desirable feature to have a user friendly universal remote control.

13 As to claim 10, the method claimed features as set forth above in claim 9, further, Huang et al., discloses the method comprising emitting signals in accordance with a user touching the soft buttons, the emitted signals mimicking those that the original remote control being emulated emits when the corresponding actual buttons are pressed thereon (Col. 4, lines 15-25; Col. 7, lines 1-29, 59-67).

14 As to claim 11, the method claimed features as set forth above in claim 8, further, Huang et al., discloses the method comprising receiving descriptions for original remote controls from a source external to the universal remote control, the received descriptions being stored in step (a) (Col. 4, lines 1-27).

15 As to claim 12, Huang et al., discloses a universal remote control for emulating one or more original remote controls (Col. 1, lines 8-12), having visual appearances that are different from one another (Col. 4, lines 7-14), the universal remote control comprising a means for storing descriptions of each original remote control to be emulated (Col. 3, lines 56-59; Col. 6, lines 59-60), the descriptions including information describing the visual appearances of the original remote controls to which the descriptions apply, means for determining which one of the original remote controls to emulate (Col. 4, lines 4-6, 12-27) and means for displaying a replica of the original remote control being emulated (Col. 4, lines 56-57; Col. 8, lines 45-55), except, Huang et al., does not expressly discloses said replica having a visual appearance substantially the same as the original remote control being emulated. However, Huang et al., discloses the representation having a visual appearance that the user desires or customizes (Col. 7, lines 43-67; Col. 8, lines 48-52).

It would have been obvious, to one of ordinary skill in the art, at the time of the invention, to modify the universal remote control of Huang et al., to have a the universal remote control representation having a visual appearance substantially the same as the original remote control being emulated, because Huang et al., discloses a universal remote control that is capable of downloading a data file that is specific to particular device via the internet and employing the data to construct a user interface for a universal remote control with soft buttons on a graphical touch screen and one of ordinary skill in the art recognize having a visual representation of the universal remote

control graphical user interface that has an appearance of the original remote control is desirable feature to have a user friendly universal remote control.

16 As to claim 13, the universal remote control claimed features as set forth above in claim 12, further, since Huang et al., discloses a graphical user interface that is a touch screen, it is inherent the means for displaying comprises a liquid crystal display (Col. 4, lines 1-6).

17 As to claim 14, the universal remote control claimed features as set forth above in claim 12, further, Huang et al., discloses means for providing in the displayed replica soft buttons that correspond to actual buttons on the original remote control being emulated (Col. 4, lines 25-27), however, Huang et al., does not expressly discloses the soft buttons having substantially the same appearance and relative location on the replica as the actual buttons have on the original remote control being emulated.

It would have been obvious, to one of ordinary skill in the art, at the time of the invention, to modify the universal remote control with the displayed replica soft buttons that correspond to actual buttons on the original remote control being emulated of Huang et al., to have the soft buttons having substantially the same appearance and relative location on the graphical user interface as the actual buttons have on the original remote control being emulated, because Huang et al., discloses a method of providing a display replica by downloading a data file that is specific to particular device via the internet and employing the data to construct a user interface for a universal

remote control with soft buttons on a graphical touch screen and one of ordinary skill in the art recognize having a visual representation of the universal remote control graphical user interface that has an appearance of the original remote control is a desirable feature to have a user friendly universal remote control.

18 As to claim 15, the universal remote control claimed features as set forth above in claim 14, further, Huang et al., discloses the means for providing comprises a graphic user interface (Col. 4, lines 24-27).

19 As to claim 16, the universal remote control claimed features as set forth above in claim 14, further, Huang et al., discloses means for emitting signals in accordance with a user touching the soft buttons, the emitted signals mimicking those that the original remote control being emulated emits when the corresponding actual buttons are pressed thereon (Col. 4, lines 15-25; Col. 7, lines 1-29, 59-67).

20 As to claim 17, the universal remote control claimed features as set forth above in claim 16, further, Huang et al., discloses the means for emitting comprises at least one of an infrared transmitter that emits infrared signals or a radio frequency transmitter that emits radio frequency signals (Col. 9, lines 16-24).

21 As to claim 18, the universal remote control claimed features as set forth above in claim 12, further, Huang et al., discloses means for receiving descriptions for original

remote controls from a source external to the universal remote control, the received descriptions being stored in the means for storing (Col. 4, lines 2-27).

22 As to claim 19, the universal remote control of claim 18, wherein the means for receiving comprises at least one of a serial port, a universal serial bus port, or a communications port (See figure 2).

***Conclusion***

23 The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sampsell (US # 6,496,122) discloses an image display and remote control system capable of displaying two distinct images.

Arling et al., (US # 6,788,241) discloses a system and method for using keystroke data to configure a remote control device.

24 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sisay Yacob whose telephone number is (571) 272-8562. The examiner can normally be reached on Monday through Friday 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on (571) 272-3068. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sisay Yacob

S.Y.

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